DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Mr. Daniel Ovanezian on July 16, 2008.

The application has been amended as follows:

a)   Please delete claim 13, and add the following: --

13.   A method comprising:

measuring phase noise in a signal, the phase noise due to a sampling-time

phase mismatch between a transmitter device and a receiver device;

determining a Gaussian noise power level in the signal;

calculating a gain factor associated with the phase noise;

activating phase noise compensation based on whether the gain factor is above

a first threshold;

deactivating phase noise compensation based on whether the gain factor is

below a second threshold; and

applying the gain factor to the Gaussian noise power level to calculate an

equivalent noise power when phase noise compensation is activated. --

b)   Please delete claim 26, and add the following: --

26.   A computer readable medium storing executable instructions, which when

executed, to cause a device to perform operations comprising:

        measuring phase noise in a signal, the phase noise due to a sampling-time

phase mismatch between a transmitter device and a receiver device;

        determining a Gaussian noise power level in the signal;

        calculating a gain factor associated with the phase noise;

        activating phase noise compensation based on whether the gain factor is above

a first threshold;

        deactivating phase noise compensation based on whether the gain factor is

below a second threshold; and

        applying the gain factor to the Gaussian noise power level to calculate an

equivalent noise power when phase noise compensation is activated. --

c)   Please delete claim 37, and add the following: --

37.   An apparatus comprising:

        means for measuring phase noise in a signal, the phase noise due to a sampling-

time phase mismatch between a transmitter device and a receiver device, wherein said

signal is a multicarrier signal including a plurality of sub-carriers;

        means for determining a Gaussian noise power level in the signal;

        means for calculating a gain factor associated with the phase noise;

        activating phase noise compensation based on whether the gain factor is above

a first threshold;

deactivating phase noise compensation based on whether the gain factor is below a second threshold; and

means for applying the gain factor to the Gaussian noise power level to calculate an equivalent noise power when phase noise compensation is activated. --

Allowable Subject Matter

2.   Claims 4-9, 13, 17-22, 26, 30-33, and 37-44 are allowed.

The following is an examiner's statement of reasons for allowance: None of the prior art teaches or suggest a receiver for measuring phase noise in a signal; determining a Gaussian noise power level in the signal; subtracting the phase noise power level from the total noise power level to determine the Gaussian noise power level in the signal; calculating a gain factor associated with the phase noise; activating phase noise compensation based on whether the gain factor is above a first threshold; deactivating phase noise compensation based on whether the gain factor is below a second threshold; and applying the gain factor to the Gaussian noise power level to calculate an equivalent noise power.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eva Y Zheng whose telephone number is 571-272-3049. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eva Yi Zheng
/E. Y. P./
Examiner, Art Unit 2611

July 16, 2008

/Chieh M Fan/
Supervisory Patent Examiner, Art Unit 2611